

AMENDED IN ASSEMBLY MARCH 24, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 701

Introduced by Assembly Member Fong

February 26, 2009

An act to amend Section 20112 of the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 701, as amended, Fong. School districts: contracts: formal bids: notices.

Existing law requires that a school district that seeks to let a contract involving a specified minimum expenditure for the purchase of equipment, materials, or supplies to be furnished, sold, or leased to the school district, or involving a specified minimum expenditure on a public project, to publish a notice calling for bids on the contract at least once a week for two weeks in a newspaper of general circulation, stating the work to be done or materials or supplies to be furnished and the time when and place where the bids ~~would~~ *will* be opened. Existing law also allows the notice to be posted on the district's Internet Web site or through an electronic portal.

This bill would ~~instead~~ *additionally* require the notice to be ~~published at least once a week for two weeks~~ *posted* on the district's Internet Web site or through an electronic portal.

By imposing new requirements on school districts, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 20112 of the Public Contract Code is
2 amended to read:
3 20112. For the purpose of securing bids the governing board
4 of a school district shall publish at least once a week for two weeks
5 *in newspaper of general circulation published in the district, or if*
6 *there is no such paper, then in newspaper of general circulation,*
7 *circulated in the county, and shall post* on the district's Internet
8 Web site or through an electronic portal, a notice calling for bids,
9 stating the work to be done or materials or supplies to be furnished
10 and the time when and the place and the Internet Web site where
11 bids will be opened. Whether or not bids are opened exactly at the
12 time fixed in the public notice for opening bids, a bid shall not be
13 received after that time. The governing board of the district may
14 accept a bid that was submitted either electronically or on paper.
15 SEC. 2. *If the Commission on State Mandates determines that*
16 *this act contains costs mandated by the state, reimbursement to*
17 *local agencies and school districts for those costs shall be made*
18 *pursuant to Part 7 (commencing with Section 17500) of Division*
19 *4 of Title 2 of the Government Code.*